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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,804	03/30/2001	Bill Kitchen	3350-05F	6580

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Antonelli, Terry, Stout & Kraus, LLP  
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1300 North Seventeenth Street  
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EXAMINER

KAZIMI, HANI M

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/820,804

Applicant(s)

KITCHEN ET AL.

Examiner

Hani Kazimi

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 34-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. This communication is in response to Applicant's request for reconsideration filed on August 4, 2004. Claims 34-51 are pending. The rejections cited are as stated below:

***Claim Rejections – 35 U.S.C. 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 148 USPQ 459, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or unobviousness.

4. Claims 34-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dent et al. US Patent No. 6,128,603 (hereinafter "Dent") in view of Hogan US Patent No. 5,699,528.

Applicant's disclosure page 28, second paragraph, states "Fig. 9B depicts screen 930 which can be transmitted from the CF station 140 to present summary bill related information at the payer station 120a-12d in a categorized manner. As shown, by clicking on indicator 935, categories of billers are changed in block 940. For example, in screen 930 the category been set to *unpaid bills* and accordingly, a summary of all unpaid bills appears on the payer display 460. Other categories could be, for example, utility bills, *paid bills*, questioned bills, credit card bills or any other category which may be desirable under the particular circumstances.". Dent clearly teaches the steps of categorizing and organizing bills according to different categories such as paid bills, unpaid bills, and pending bills (figs. 5-7, and column 7, line 55 thru column 8, line 2).

Claims 34-51, Dent discloses a method and a corresponding system for electronically presenting bills, comprising the steps of storing a plurality of bills from a plurality of billers for a payer, each biller being associated with one of a plurality of biller categories (Dent teaches the steps of categorizing and organizing bills according to different categories such as paid bills, unpaid bills, and pending bills (figs. 5-7, and column 7, line 55 thru column 8, line 2), receiving a request from a payer to view those of the stored plurality of bills from billers associated with one of the plurality of biller categories, and transmitting, only those bills from those billers associated with the one biller category to the payer responsive to the request (abstract, figs. 5-7, and column 7, line 35 thru column 8, line 2).

Even though Dent discloses that "Upon selection by the consumer, the notification manager 52 sends a message over the Internet to the biller asking it to send bill notifications via phone or facsimile". Dent teaches the steps of receiving a request from a payer to view those of the stored plurality of bills from billers associated with one of the plurality of biller categories, and transmitting, only those bills from those billers associated with the one biller category to the payer responsive to the request (Dent stores all this information at the payer user interface 28). Dent fails to explicitly teach that these steps are performed via a network.

Hogan teaches a system and method for bill delivery and payment over a communications network wherein a user submits a request via a network to receive bills, and receives and pays bills via the network (figs. 2-4, and column 5, line 1 thru column 6, line 30).

It would have been obvious to one of ordinary skilled in the art at the time the Applicant's invention was made to modify the teachings of Dent to include the steps of receiving via a network a request from a payer to view bills, and transmitting bills from billers responsive to the request because, Dent states that "The bill management application 48 can be a separate software component, or integrated with the consumer's personal finance management (PFM) software", a separate software component can be remotely located from the payer's computer. Furthermore, storing the bills at a server remote from the payer's computer, provides the payer with additional memory space.

Dent discloses that each of the plurality of biller categories corresponds to a type of good or service provided by the plurality of billers, the plurality of biller categories includes a category corresponding to at least one of a credit card service, and a utility service, at least one of the plurality of billers is associated with more than one of a plurality of biller categories, the plurality of bill categories includes a disputed bill category, and defining at least one of the plurality of biller categories according to an instruction received from the payer (figs. 5-9, column 7, line 35 thru column 8, line 2, and column 10, line 60 thru column 11, line 42).

Dent discloses the steps of receiving, via the network, a request from the payer to view those of the stored plurality of bills from those of the plurality of billers which are paid and associated with one of the plurality of biller categories, and transmitting, via the network, those of the paid stored plurality of bills from those of the plurality of billers associated with the one biller category to the payer responsive to the request (figs. 5-7, and column 7, line 55 thru column 8, line 2).

### ***Response to Arguments***

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. The response to Applicant's arguments with respect to the claims is mentioned above within the 35 U.S.C. 103 rejection of this office action.

Response to the remaining arguments is addressed by the statement made by the Examiner in the previous office action and repeated again in the present office action. The statement is the first paragraph under the heading for the 102 rejection in the previous office action, and under the heading for the 103 rejection in present office action. The statement basically explains how Applicant's own specification describes the types of biller's category. No comments were made by the Applicant in the response to the previous office action concerning this statement.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (703) 305-1061. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703) 305-7687 or 7658.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113 or 1114.

  
**HANI M. KAZIMI**  
**PRIMARY EXAMINER**  
Art Unit 3624

November 12, 2004